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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,672	04/13/2004	Yasuhiro Nakatsuka	503.33829CX4	2988

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EXAMINER

CHAUHAN, ULKA J

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 05/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,672

Applicant(s)

NAKATSUKA ET AL.

Examiner

Ulka J. Chauhan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2 and 3 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The reply filed on 5/10/05 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s), See 37 CFR 1.111: Claim 1 is cancelled and claims 2 and 3 are newly presented. Newly submitted claims 2 and 3 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Claim 1 was directed to an image processor comprising: an image processing unit outputting a drawing command; a memory storing image data in a plurality of block of pixel data; and a single pixel data processing accessing the memory based on the drawing command, reads one of the blocks and executes a drawing processing, wherein the single pixel data processing unit performs the drawing processing successively of the pixels within one block and continues onto pixels in adjacent blocks until the drawing processing has been successively completed on pixels in each of the blocks.

Claims 2 and 3 are directed to a graphics drawing device, comprising: a data storage unit storing two dimensional pixel groups; a data extracting unit extracting designated graphics data from the data storage unit corresponding to a plurality of polygon graphics; a graphics data producing unit producing graphics data if the drawing of a pixel has not been completed; a drawing unit drawing the graphics data; a graphics list storage unit storing a graphics list of polygon graphics each having different depths; a sorting unit sorting the graphics list according to the depth information; wherein the data extracting unit extracting designated graphics data based on the graphics sorted by the sorting unit; a region judgment unit judging whether or not the drawing regions of polygons belonging

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to the graphics sorted by the sorting unit are contained in a drawing region of a polygon belonging to graphics having a higher order of sorting; a deleting unit deleting the graphics judged as being contained in such a drawing region from the graphics list; wherein said graphics data producing unit producing graphics data relating to the drawing regions of polygons not contained in such a drawing region; a rectangle providing unit respectively providing circumscribed rectangles for graphics belonging to the sorted graphics and inscribed rectangles for graphics of the groups, while correlating both circumscribed and un-circumscribed rectangles to the drawing regions, wherein the region judgment unit judges whether or not a circumscribed rectangle is hidden by an inscribed rectangle having a higher order of sorting, and wherein the drawing unit accesses the data storage unit to draw graphics data corresponding to rectangles not hidden by other rectangles and does not access the data storage unit to draw graphics data corresponding to rectangles hidden by other rectangles.

2. Therefore claim 1 is directed to performing drawing processing for pixels within a block unit of pixels in a successive manner, while claims 2 and 3 are directed to sorting graphics based on depths and drawing only those graphics that are not hidden. Therefore the invention of claims 2 and 3 are distinct from the invention originally claimed in claim 1.

3. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 2 and 3 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

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4. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ulka J. Chauhan whose telephone number is 571-272-7782. The examiner can normally be reached on Mon. through Fri., 9:30 a.m. to 4:00 p.m.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 571-272-7778. The fax phone number for the organization where this application or proceeding is assigned (703) 872-93069314.

7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



Ulka J. Chauhan
Primary Examiner
Art Unit 2676

ujc
May 16, 2005